

HOUSE BILL NO. 373

INTRODUCED BY C. HARRIS

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE MONTANA CODE REFORM COMMISSION TO IDENTIFY STATUTES THAT ARE OBSOLETE, REDUNDANT, CONTRADICTORY, CONFUSING, OR UNCONSTITUTIONAL; REQUIRING EACH EXECUTIVE BRANCH ENTITY AND THE LEGISLATIVE AUDIT DIVISION TO IDENTIFY STATUTES THAT ARE OBSOLETE, REDUNDANT, CONTRADICTORY, CONFUSING, OR UNCONSTITUTIONAL AND REPORT THEM TO THE COMMISSION; REQUIRING THE SECRETARY OF STATE TO NOTIFY NEWSPAPERS AND LOBBYISTS OF THE EXISTENCE OF THE COMMISSION AND INVITE THOSE ENTITIES TO IDENTIFY STATUTES THAT ARE OBSOLETE, REDUNDANT, CONTRADICTORY, CONFUSING, OR UNCONSTITUTIONAL; REQUIRING A REPORT TO THE 60TH LEGISLATURE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Review of statutes. Each board, bureau, commission, office, and department of the executive branch of state government shall review the statutes administered by that entity and identify statutes that are obsolete, redundant, contradictory, confusing, or unconstitutional. Each entity shall prepare a report explaining why identified statutes are obsolete, redundant, contradictory, confusing, or unconstitutional. The legislative audit division shall file a report of statutes identified in the auditing process. The report must be filed with the Montana code reform commission, provided for in [section 2], by February 1, 2006. The report is not required to contain a recommendation for revision or repeal.

NEW SECTION. Section 2. Montana code reform commission. (1) There is a Montana code reform commission. The commission consists of five members as follows:

- (a) two members of the house of representatives, one from each party, appointed by the democratic house leader and the republican house leader;
- (b) two members of the senate, one from each party, appointed by the committee on committees; and
- (c) one public member appointed by the governor.

(2) Appointments to the commission must be made no later than June 1, 2005. The commission shall meet no later than July 1, 2005, and as often as the commission considers necessary. The commission shall select a presiding officer.

(3) The commission must receive and review the reports provided for in [section 1] and the comments received pursuant to the notice provided for in [section 3]. The commission shall prepare a report containing the commission's recommendations for statutory revision and submit the report to the 60th legislature as provided in 5-11-210. The commission may propose legislation to implement the recommendations contained in the report.

(4) The legislative services division shall provide staff support for the commission.

NEW SECTION. Section 3. Notice of Montana code reform commission. No later than July 1, 2005, the secretary of state shall notify all daily and weekly newspapers published in Montana and all registered lobbyists of the existence of the Montana code reform commission. The notice must contain an invitation to identify obsolete, redundant, contradictory, confusing, or unconstitutional statutes and to provide that information to the Montana code reform commission.

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

NEW SECTION. Section 5. Termination. [This act] terminates December 31, 2006.

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